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Attorneys for Defendant, National Union Fire Insurance Company of Pittsburgh, Pa.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

NEW JERSEY TITLE
INSURANCE COMPANY,

Plaintiff,

vs.

NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, and BROWN &
BROWN OF CONNECTICUT,
INC., d/b/a DILL, JOYCE &
THRESHER INSURANCE,

Defendants.

CIVIL ACTION NO. 2:11-civ-630-
DMC-JAD

DEFENDANT'S NOTICE OF
MOTION TO DISMISS PURSUANT
TO FED.R.CIV.P. 12(b)(6)

TO: Henry J. Catenacci, Esq.
Podvey Meanor Catenacci Hildner
Cocoziello & Chattman, PC
The Legal Center
One Riverfront Plaza
Newark, New Jersey 07102

Thomas J. Cahill, Esq.
Satterlee Stephens Burke & Burke LLP
33 Wood Avenue South, 6th Floor
Iselin, New Jersey 08830

PLEASE TAKE NOTICE that on June 6, 2011, at 9:00 A.M. or as soon
thereafter as counsel may be heard, Defendant, National Union Fire Insurance

Company of Pittsburgh, Pa., shall move before the Hon. Dennis M. Cavanaugh, U.S.D.J., of the United States District Court for the District of New Jersey, Newark Vicinage, at the Martin Luther King, Jr. Federal Building & United States Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order dismissing the Complaint, filed by Plaintiff, New Jersey Title Insurance Company, with prejudice pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure; and

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendant shall rely on the accompanying Brief and Declaration of Richard S. Mills, Esq.; and

PLEASE TAKE FURTHER NOTICE that opposition to Plaintiff's opposition is due fourteen days before the motion day;

PLEASE TAKE FURTHER NOTICE that a proposed Order accompanies this Motion.

Respectfully submitted,

McELROY, DEUTSCH, MULVANEY &
CARPENTER, LLP

Dated: April 25, 2011

By: /S/ Richard S. Mills
Richard S. Mills